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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 FLORA BLACK,

09 Plaintiff,

10 v.

11 MICHAEL ASTRUE,
Commissioner of Social Security,

12 Defendant.
13 _____

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) CASE NO. C11-1297-JCC-MAT
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) REPORT AND RECOMMENDATION
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14 Plaintiff brought this action to seek judicial review of the denial of her application for
15 Supplemental Security Income by the Commissioner of the Social Security Administration.
16 The parties have now stipulated that this case should be reversed and remanded pursuant to
17 sentence six of 42 U.S.C. § 405(g). (Dkts. 17 & 18.)

18 Based on the stipulation of the parties, the Court recommends that this case be
19 REMANDED pursuant to sentence six of 42 U.S.C. § 405(g). The Court will retain
20 jurisdiction of this case. The Appeals Counsel will continue to search for the missing
21 recording of plaintiff's hearing before the Administrative Law Judge. In the event the tape
22 cannot be located within a reasonable period of time, the Appeals Council will remand

01 plaintiff's case for a *de novo* hearing. Plaintiff may seek judicial review of any *de novo*
02 hearing by simply reinstating this case rather than filing a new Complaint.

03 Given the above, the Court recommends that United States District Judge John C.
04 Coughenour immediately approve this Report and Recommendation and order the case
05 REMANDED for further administrative proceedings. A proposed order accompanies this
06 Report and Recommendation.

07 DATED this 9th day of December, 2011.

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10 Mary Alice Theiler
11 United States Magistrate Judge
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